

**TEMPORARY
TEMPORARY**Serial No. **77755T**

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF
USE AND PLACE OF USE OF THE PUBLIC WATERS
OF THE STATE OF NEVADA HERETOFORE APPROPRIATED**

THIS SPACE FOR OFFICE USE ONLY

JAN 08 2009

Date of filing in State Engineer's Office.....

Returned to applicant for correction.....

Corrected application filed.....Map filed **APR 03 2003** under **69668T**The applicant Round Mountain Gold Corp. Homestake Nevada Corp. BaRGold Corp dba Smoky Valley Common OperationP.O. Box 480

Street and No. Or P.O. Box No.

of

Round Mountain

City or Town

Nevada 89045

State and Zip Code No.

, hereby make s application for permission to change thepoint of diversion and place and manner of use of a portionof water heretofore appropriated under Permit # 59218

Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree

and identify right in Decree.

1. The source of water is underground (DW-40)

Name of stream, lake, underground, spring or other sources.

2. The amount of water to be changed 1.8 cfs

Second feet, acre-feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for mining activities (including reclamation), milling, domestic, and dewatering

Irrigation, power, mining, commercial, etc. If for stock state number and kind of animals. Must limit to one major use.

4. The water heretofore used for mining, milling, domestic and dewatering

If for stock state number and kind of animals.

5. The water is to be diverted at the following point within the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 24, T.10N, R. 43E.

Describe as being within a 40-acre subdivision of public survey and by course and

M.D.M at a point from which the NW corner of Section 24, T.10N, R. 43E. bears N 33 degrees, 47 minutes,

distance to a section corner. If on unsurveyed land, it should be stated.

38 seconds W for a distance of 5716.18 feet6. The existing point of diversion is located within the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 19, T.10N., R.44E, M.D.M.,at a point from which the SE corner of Section 30 T10N, R44E bears S 34 degrees 46 minutes 16 seconds E for a

If point of diversion is not changed, do not answer.

distance of 7138.5 feet

1373-14

7. Proposed place of use See (Attachment 1)

Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

8. Existing place of use within sections 17, 18, 19, 20, 29 & 30 of T10N, R44E, MDM (portions

Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or manner

unsurveyed), and in Sections 13, 23, 24, 25, & 26 of T10N, R43E, MDM

of use of irrigation permit, describe acreage to be removed from irrigation.

9. Use will be from January 01 to December 31 of each year.
Month and Day Month and Day10. Use permitted from January 01 to December 31 of each year.
Month and Day Month and Day11. Description of proposed works. (Under the provision of NRS 535.010 you may be required to submit plans
and specifications of your diversion or storage works existing well

State manner in which water is to be diverted, i.e. diversion structure, ditches,

pipes and flumes or drilled well, pump and motor, etc.

12. Estimated cost of works \$266,00013. Estimated time required to construct works Cased well with electric motor and submersible pump
If well completed, describe well.14. Estimated time required to complete the application of water to beneficial use 5 years15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or
annual consumptive use.This well will serve to dewater the mining pit and to ensure highwall stability. The water developed will
be co-mingled with other water rights held by the applicant and will be primarily utilized in the mining
and milling processes as needed, including associated reclamation activities.By Clay Self
Print or type name clearlyClay Self
Signature, applicant or agentP.O. Box 480
Street and No., or P.O. Box No.Round Mountain, NV 89045
City, State, Zip Code No.2009 JAN -8 AM 8:42
STATE ENGINEERS OFFICE
RECEIVEDAPPLICATION MUST BE SIGNED
BY THE APPLICANT OR AGENT

\$100 FILING FEE MUST ACCOMPANY APPLICATION

Attachment 1

7. Proposed Place of Use:

T9N, R43E; All of sections 1, 2; portions of sections 3, 10, 11, 12, 14, 15

T9N, R44E; Portion of section 6

T10N, R43E; Portions of section 11, 12; all of sections 13; portions 14, 23, all of sections 24, 25; portions of section 26, 34, 35; all of section 36

T10N, R44E; Portions of sections 4, 5, 6, 7, 8, 17; all of section 18; portions of sections 19, 20, 29; all of section 30; portion of section 31

T11N, R43E; Portions of sections 25, 36

T11N, R44E; Portions of sections 19, 20, 28, 29; all of section 30, portion of section 31, all of section 32, portions of section 33